

INTER-AMERICAN TREATY OF RECIPROCAL ASSISTANCE

Signed at the Inter-American

Conference for the Maintenance of
Continental Peace and Security,

Rio de Janeiro, August 15-September 2, 1947

PAN AMERICAN UNION

General Secretariat, Organization of American States

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Note

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In the name of their Peoples, the Governments represented at the Inter-American Conference for the Maintenance of Continental Peace and Security, desirous of consolidating and strengthening their relations of friendship and good neighborliness, and

CONSIDERING: That Resolution VIII of the Inter-American Conference on Problems of War and Peace, which met in Mexico City, recommended the conclusion of a treaty to prevent and repel threats and acts of aggression against any of the countries of America;

That the High Contracting Parties reiterate their will to remain united in an inter-American system consistent with the purposes and principles of the United Nations, and reaffirm the existence of the agreement which they have concluded concerning those matters relating to the maintenance of international peace and security which are appropriate for regional action;

That the High Contracting Parties reaffirm their adherence to the principles of inter-American solidarity and cooperation, and especially to those set forth in the preamble and declarations of the Act of Chapultepec, all of which should be understood to be accepted as standards of their mutual relations and as the juridical basis of the Inter-American System;

That the American States propose, in order to improve the procedures for the pacific settlement of their controversies, to conclude the treaty concerning the "Inter-American Peace System" envisaged in Resolution IX and XXXIX of the Inter-American Conference on Problems of War and Peace;

That the obligation of mutual assistance and common defense of the American Republics is essentially related to their democratic ideals and to their will to cooperate permanently in the fulfillment of the principles and purposes of a policy of peace;

purpose of examining those measures and agreeing upon the measures of a collective character that should be taken.

3. The provisions of this Article shall be applied in case of any armed attack which takes place within the region described in Article 4 or within the territory of an American State. When the attack takes place outside of the said areas, the provisions of Article 6 shall be applied.

4. Measures of self-defense provided for under this Article may be taken until the Security Council of the United Nations has taken the measures necessary to maintain international peace and security.

ARTICLE 4

The region to which this Treaty refers is bounded as follows: beginning at the North Pole; thence due south to a point 74 degrees north latitude, 10 degrees west longitude; thence by a rhumb line to a point 47 degrees 30 minutes north latitude, 50 degrees west longitude; thence by a rhumb line to a point 35 degrees north latitude, 60 degrees west longitude; thence due south to a point in 20 degrees north latitude; thence by a rhumb line to a point 5 degrees north latitude, 24 degrees west longitude; thence due south to the South Pole; thence due north to a point 30 degrees south latitude, 90 degrees west longitude; thence by a rhumb line to a point on the Equator at 97 degrees west longitude; thence by a rhumb line to a point 15 degrees north latitude, 120 degrees west longitude; thence by a rhumb line to a point 50 degrees north latitude, 170 degrees east longitude; thence due north to a point in 54 degrees north latitude; thence by a rhumb line to a point 65 degrees 30 minutes north latitude, 168 degrees 58 minutes 5 seconds west longitude; thence due north to the North Pole.

ARTICLE 5

The High Contracting Parties shall immediately send to the Security Council of the United Nations, in conformity with Articles 51 and 54 of the Charter of the United Nations, complete information concerning the activities undertaken or in contemplation in the exercise of the right of self-defense or for the purpose of maintaining inter-American peace and security.

ARTICLE 6

If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extra-continental or intra-continental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in

order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the Continent.

ARTICLE 7

In the case of a conflict between two or more American States, without prejudice to the right of self-defense in conformity with Article 51 of the Charter of the United Nations, the High Contracting Parties, meeting in consultation shall call upon the contending States to suspend hostilities and restore matters to the statu quo ante bellum, and shall take in addition all other necessary measures to reestablish or maintain inter-American peace and security and for the solution of the conflict by peaceful means. The rejection of the pacifying action will be considered in the determination of the aggressor and in the application of the measures which the consultative meeting may agree upon.

ARTICLE 8

For the purposes of this Treaty, the measures on which the Organ of Consultation may agree will comprise one or more of the following: recall of chiefs of diplomatic missions; breaking of diplomatic relations; breaking of consular relations; partial or complete interruption of economic relations or of rail, sea, air, postal, telegraphic, telephonic, and radiotelephonic or radiotelegraphic communications; and use of armed force.

ARTICLE 9

In addition to other acts which the Organ of Consultation may characterize as aggression, the following shall be considered as such:

- a. Unprovoked armed attack by a State against the territory, the people, or the land, sea or air forces of another State;
- b. Invasion, by the armed forces of a State, of the territory of an American State, through the trespassing of boundaries demarcated in accordance with a treaty, judicial decision, or arbitral award, or, in the absence of frontiers thus demarcated, invasion affecting a region which is under the effective jurisdiction of another State.

ARTICLE 10

None of the provisions of this Treaty shall be construed as impairing the rights and obligations of the High Contracting Parties under the Charter of the United Nations.

ARTICLE 11

The consultations to which this Treaty refers shall be carried out by means of the Meetings of Ministers of Foreign Affairs of the American Republics which have ratified the Treaty, or in the manner or by the organ which in the future may be agreed upon.

ARTICLE 12

The Governing Board of the Pan American Union may act provisionally as an organ of consultation until the meeting of the Organ of Consultation referred to in the preceding Article takes place.

ARTICLE 13

The consultations shall be initiated at the request addressed to the Governing Board of the Pan American Union by any of the Signatory States which has ratified the Treaty.

ARTICLE 14

In the voting referred to in this Treaty only the representatives of the Signatory States which have ratified the Treaty may take part.

ARTICLE 15

The Governing Board of the Pan American Union shall act in all matters concerning this Treaty as an organ of liaison among the Signatory States which have ratified this Treaty and between these States and the United Nations.

ARTICLE 16

The decisions of the Governing Board of the Pan American Union referred to in Articles 13 and 15 above shall be taken by an absolute majority of the Members entitled to vote.

ARTICLE 17

The Organ of Consultation shall take its decisions by a vote of two-thirds of the Signatory States which have ratified the Treaty.

ARTICLE 18

In the case of a situation or dispute between American States, the parties directly interested shall be excluded from the voting referred to in the two preceding Articles.

ARTICLE 19

To constitute a quorum in all the meetings referred to in the previous Articles, it shall be necessary that the number of States represented shall be at least equal to the number of votes necessary for the taking of the decision.

ARTICLE 20

Decisions which require the application of the measures specified in Article 8 shall be binding upon all the Signatory States which have ratified this Treaty, with the sole exception that no State shall be required to use armed force without its consent.

ARTICLE 21

The measures agreed upon by the Organ of Consultation shall be executed through the procedures and agencies now existing or those which may in the future be established.

ARTICLE 22

This Treaty shall come into effect between the States which ratify it as soon as the ratifications of two-thirds of the Signatory States have been deposited.

ARTICLE 23

This Treaty is open for signature by the American States at the city of Rio de Janeiro, and shall be ratified by the Signatory States as soon as possible in accordance with their respective constitutional processes. The

ratifications shall be deposited with the Pan American Union, which shall notify the Signatory States of each deposit. Such notification shall be considered as an exchange of ratifications.

ARTICLE 24

The present Treaty shall be registered with the Secretariat of the United Nations through the Pan American Union, when two-thirds of the Signatory States have deposited their ratifications.

ARTICLE 25

This Treaty shall remain in force indefinitely, but may be denounced by any High Contracting Party by a notification in writing to the Pan American Union, which shall inform all the other High Contracting Parties of each notification of denunciation received. After the expiration of two years from the date of the receipt by the Pan American Union of a notification of denunciation by any High Contracting Party, the present Treaty shall cease to be in force with respect to such State, but shall remain in full force and effect with respect to all the other High Contracting Parties.

ARTICLE 26

The principles and fundamental provisions of this Treaty shall be incorporated in the Organic Pact of the Inter-American System.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, having deposited their full powers found to be in due and proper form, sign this Treaty on behalf of their respective Governments, on the dates appearing opposite their signatures.

Done in the city of Rio de Janeiro, in four texts respectively in the English, French, Portuguese and Spanish languages, on the second of September nineteen hundred forty-seven.

RESERVATIONS MADE AT THE TIME OF SIGNING

Honduras:

The Delegation of Honduras, in signing the present Treaty and in connection with Article 9, section (b), does so with the reservation that the boundary between Honduras and Nicaragua is definitively demarcated by the Joint Boundary Commission of nineteen hundred and nineteen hundred and one, starting from a point in the Gulf of Fonseca, in the Pacific Ocean, to Portillo de Teotecacinte and, from this point to the Atlantic, by the line that His Majesty the King of Spain's arbitral award established on the twenty-third of December of nineteen hundred and six.

Nicaragua:

The Delegate of Nicaragua, in signing the present Treaty, and with respect to the reservation made by the Delegation of Honduras on signing it and to the provisions of Article 9 (b), does so with the reservation that the boundary between Nicaragua and Honduras from the point known by the name of Portillo de Teotecacinte to the Atlantic Ocean has not been definitively drawn, by virtue of the fact that the royal Award rendered by His Majesty the King of Spain on December twenty-third, nineteen hundred six, has been impugned and protested by Nicaragua as nonexistent, null, and void. Consequently, the signing of this Treaty by Nicaragua may not be alleged as acceptance of arbitral awards that Nicaragua has impugned or whose validity is not definite.

STATEMENT MADE ON SIGNING THE TREATY

Ecuador:

The Republic of Ecuador signs the present Inter-American Treaty of Reciprocal Assistance without reservations, because it understands that other instruments and the principles of international law do not bar the revision of treaties, either by agreement between the Parties or by the other pacific means consecrated by international law itself.

RESERVATIONS MADE AT THE TIME OF RATIFYING

Guatemala:

The present Treaty poses no impediment whatever to Guatemala's assertion of its rights over the Guatemalan territory of Belize by whatever

means it considers most appropriate; a Treaty that may at any time be invoked by the Republic with respect to the aforesaid territory.¹

Honduras:

With the reservation made at the time of signing.

Nicaragua:

With the reservation made at the time of signing.

Ecuador:

With the statement made on signing the Treaty.

¹ With respect to this reservation, the Pan American Union consulted the signatory governments, in accordance with the procedure established by paragraph 2 of Resolution XXIX of the Eighth International Conference of American States, to ascertain whether they found it acceptable or not. A number of replies being unfavorable, a second consultation was made accompanied, at the request of the Government of Guatemala, by a formal declaration of that Government to the effect that its reservation did not imply any alteration in the Inter-American Treaty of Reciprocal Assistance, and that Guatemala was ready to act at all times within the bounds of international agreements to which it was a party. In view of this declaration, the States that previously had not found the reservation acceptable now expressed their acceptance.

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| SIGNATORY COUNTRIES | DATE OF INSTRUMENT OF RATIFICATION | DATE OF DEPOSIT OF THE INSTRUMENT OF RATIFICATION |
|---------------------|---------------------------------------|--|
| Argentina | July 19, 1950 | August 21, 1950 |
| Bolivia | September 18, 1950 | September 26, 1950 |
| Brazil | March 5, 1948 | March 25, 1948 |
| Colombia | January 10, 1948 | February 3, 1948 |
| Costa Rica | November 20, 1948 | December 3, 1948 |
| Cuba | December 4, 1948 | December 9, 1948 |
| Chile | January 28, 1949 | February 9, 1949 |
| Dominican Republic | November 7, 1947 | November 21, 1947 |
| Ecuador | October 30, 1950 | November 7, 1950 |
| El Salvador | February 19, 1948 | March 15, 1948 |
| Guatemala | March 18, 1955* | April 6, 1955* |
| Haiti | October 30, 1947 | March 25, 1948 |
| Honduras | January 15, 1948* | February 5, 1948* |
| Mexico | November 23, 1948 | November 23, 1948 |
| Nicaragua | November 1, 1948* | November 12, 1948* |
| Panama | December 31, 1947 | January 12, 1948 |
| Paraguay | July 7, 1948 | July 28, 1948 |
| Peru | October 9, 1950 | October 25, 1950 |
| United States | December 12, 1947 | December 30, 1947 |
| Uruguay | September 7, 1948 | September 28, 1948 |
| Venezuela | September 9, 1948 | October 4, 1948 |

* With a reservation.

